

**Supreme Court of Vermont
Office of State Court Administrator**

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TO: Representative Kitty Toll, Chair
House Appropriations

FROM: Patricia Gabel, Esq., State Court Administrator

RE: Judiciary Budget Materials for House Appropriation Committee

DATE: January 28, 2020

A handwritten signature in blue ink, appearing to be "Patricia Gabel", is written over the "FROM:" line of the email header.

On behalf of the Supreme Court of Vermont, please find the following documents. Please note, items three and four are embedded as links to the Judiciary Website in item two:

- 1) Vermont Judiciary Presentation to House Committee on Appropriations PowerPoint
- 2) Vermont Judicial Branch FY 2021 Budget Summary – Key Budget and Programmatic Issues
- 3) Vermont Judicial Branch Annual Statistical Report for FY19
 - Appendix I – Judiciary Statistics FY19 – Statewide
 - Appendix II – Judiciary Statistics FY19 – by County
- 4) Judicial Branch Overview and RBA Report, 2020 Legislative Session: Courts, Judiciary Programs, and Performance Measures
- 5) FY 2021 Judiciary Budget Detail including ups and downs

cc: Gregg Mousley, Chief of Finance and Administration, Vermont Judiciary
Kelly Carbo, Manager of Finance and Accounting, Vermont Judiciary
Stephen Klein, Chief Fiscal Officer, Joint Fiscal Office
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VERMONT JUDICIARY

HOUSE COMMITTEE ON APPROPRIATIONS

JANUARY 29, 2020

Patricia Gabel, Esq., State Court Administrator

Gregg Mousley, Chief of Finance and Administration, Vermont Judiciary



Budget Materials Include:

- **FY21 Budget Summary**
- **Vermont Judicial Branch Overview and RBA Report**
- **Vermont Judiciary Annual Statistical Report for FY2019**
- **Budget Detail document – includes budget “ups and downs”**



Upward Caseload Pressures:

- **Juvenile Cases**
 - CHINS
 - Increase in Filings of TPR Cases
 - Increase in Youthful Offender Cases
- **Upward Trend in Number of Criminal Expungements**

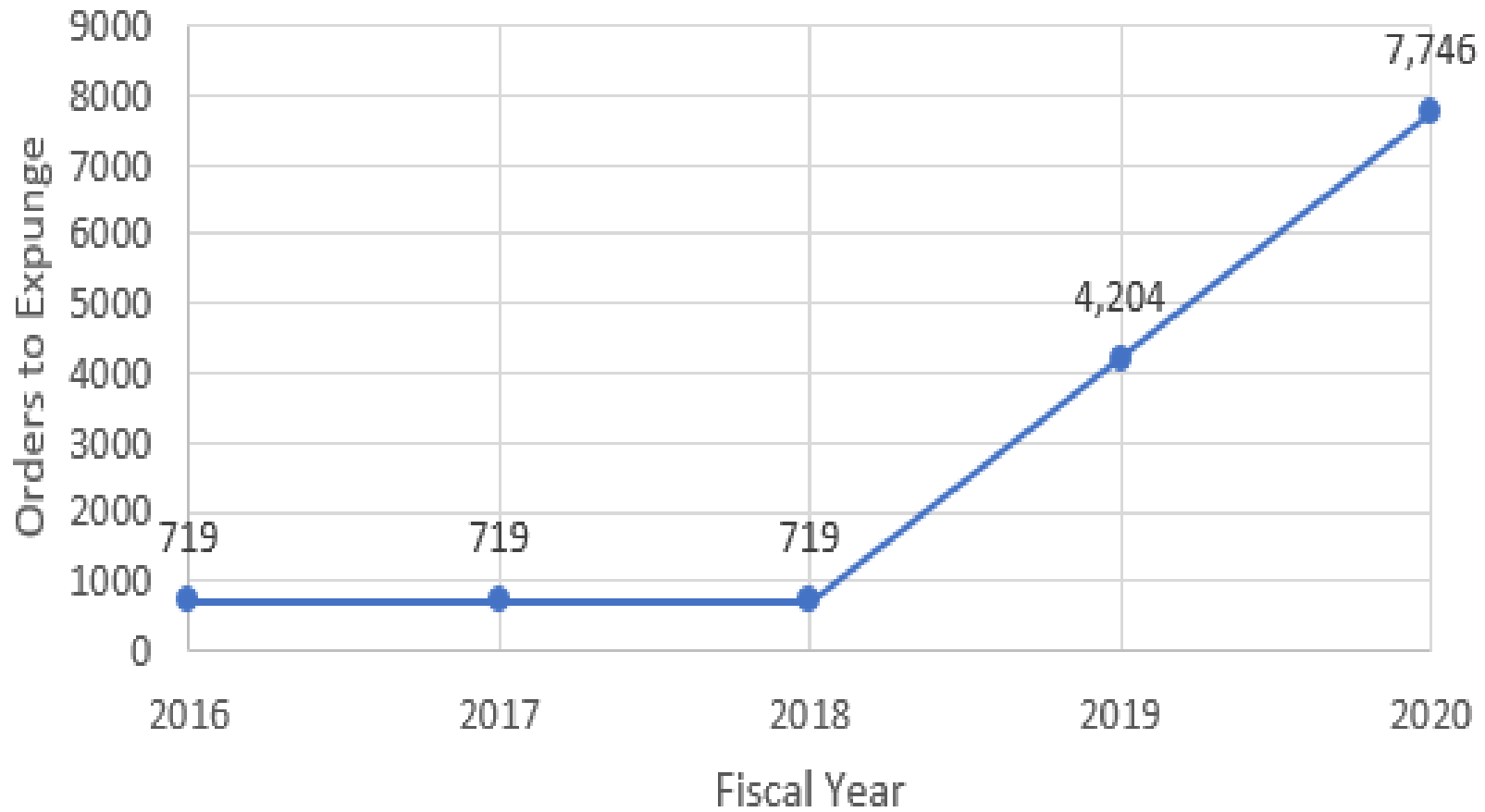


Expungement Increase:

Fiscal Year	Number of orders to expunge	Percent increase over prior year
2016	719 (estimated)	--
2017	719 (estimated)	0%
2018	719 (estimated)	0%
2019	4,204 (actual)	485%
2020	7,746 (projected)	84%



Expungement Increase:



Structural Challenges in Court System Funding

Fund:	FY2021 Governor's Recommendation	Fund Sources as Percent of Total
General Fund	47,710,260	88%
Fee-based revenue sources:		
Attorney Admission Licensing Fund	784,629	2%
Special Funds *	2,398,146	4%
Other fund sources:		
Inter-Unit Transfer Fund	2,095,399	4%
Federal Revenue Funds	887,586	2%
TOTAL	53,876,020	100%

Major category of expense (all funds):	FY 2021 Governor's Recommendation	As Percent of Total
Salary and Fringe (less vacancy savings)	37,603,318	71%
Fee for Space	5,123,561	10%
Court security contracts	2,909,103	5%
Other internal service charges (ADS; VISION; Insurance)	2,057,828	3%
Cash payment to DCF (Title IVD accounting transaction)	400,000	1%
All other expenses	5,782,210	10%
Total (all funds)	53,876,020	100%



Overview of FY21 Judiciary Budget

Statewide budget pressures include:

- **\$915,016** **annualization of FY20 Pay Act**
- **\$117,722** **internal service fund increases**
- **\$137,135** **retirement rate increase**

- **\$1,163,873** **2.56% increase**



Overview of FY21 Judiciary Budget

Budget pressures outside Judicial control include:

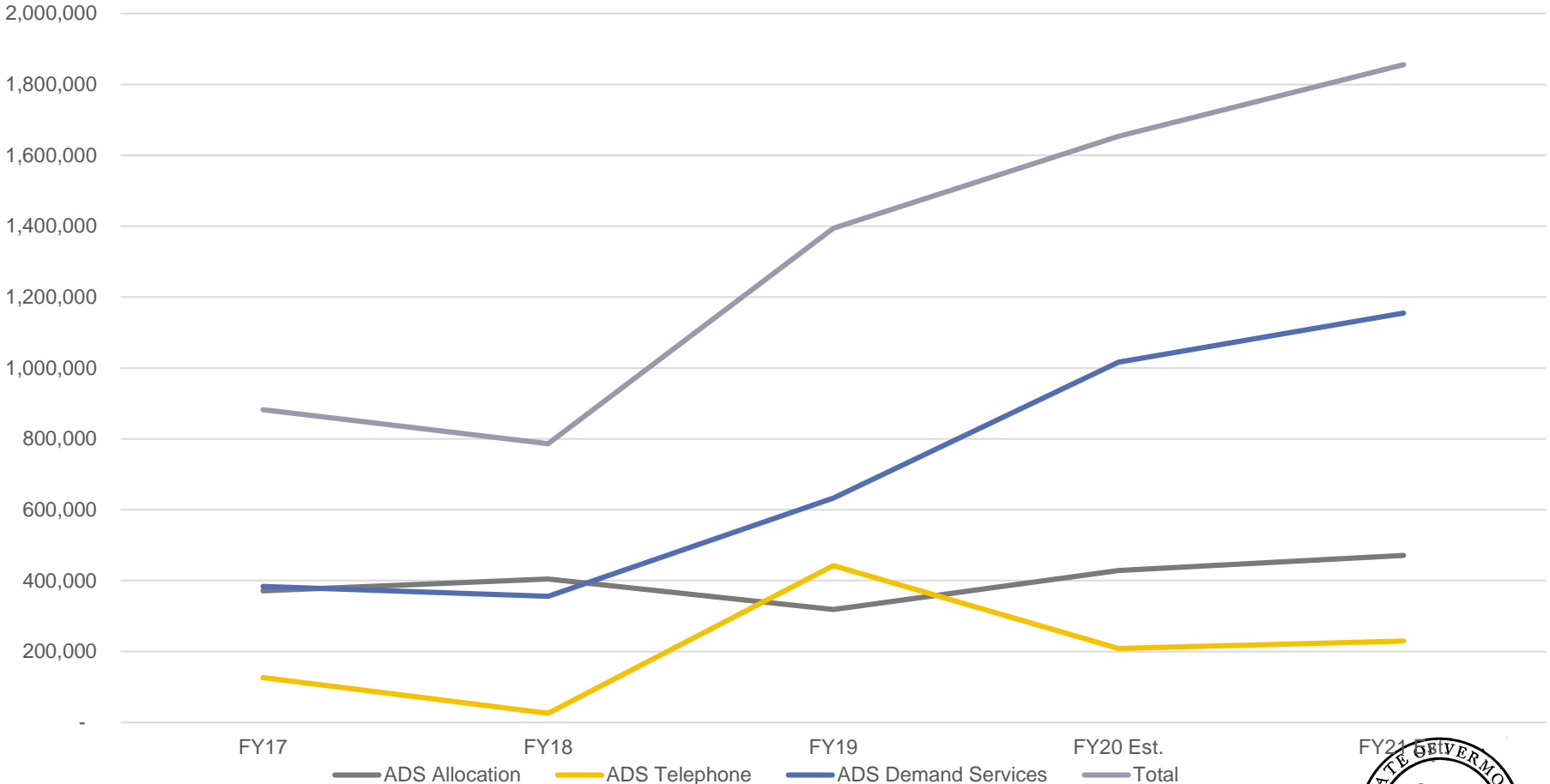
- **\$763,433** **ADS increases**
- **\$350,000** **Lost Title IV-D Revenue (est.)**

- **\$1,113,433** **2.44% increase**



Overview of ADS Expense

ADS Expense



Overview of FY21 Judiciary Budget

Judicial Priorities include:

- **\$85,000** **FFS for Access and Resource Ctr.**
- **\$375,000** **5 Security positions**
- **\$250,000** **Increase to Security rates**
- **\$258,632** **Move RIS salaries out of Tech Fund**

- **\$968,632** **2.1% increase**



Access and Resource Center

Access and Resource Center

- **Part of Language Access Plan – agreement with Dept. of Justice**
- **Self Represented Litigant Services, including triaging services, non-lawyer navigator programs, collaborations with private bar and civil legal aid organizations and non-legal community partners, and specific access services for self-represented litigants.**



Security Positions

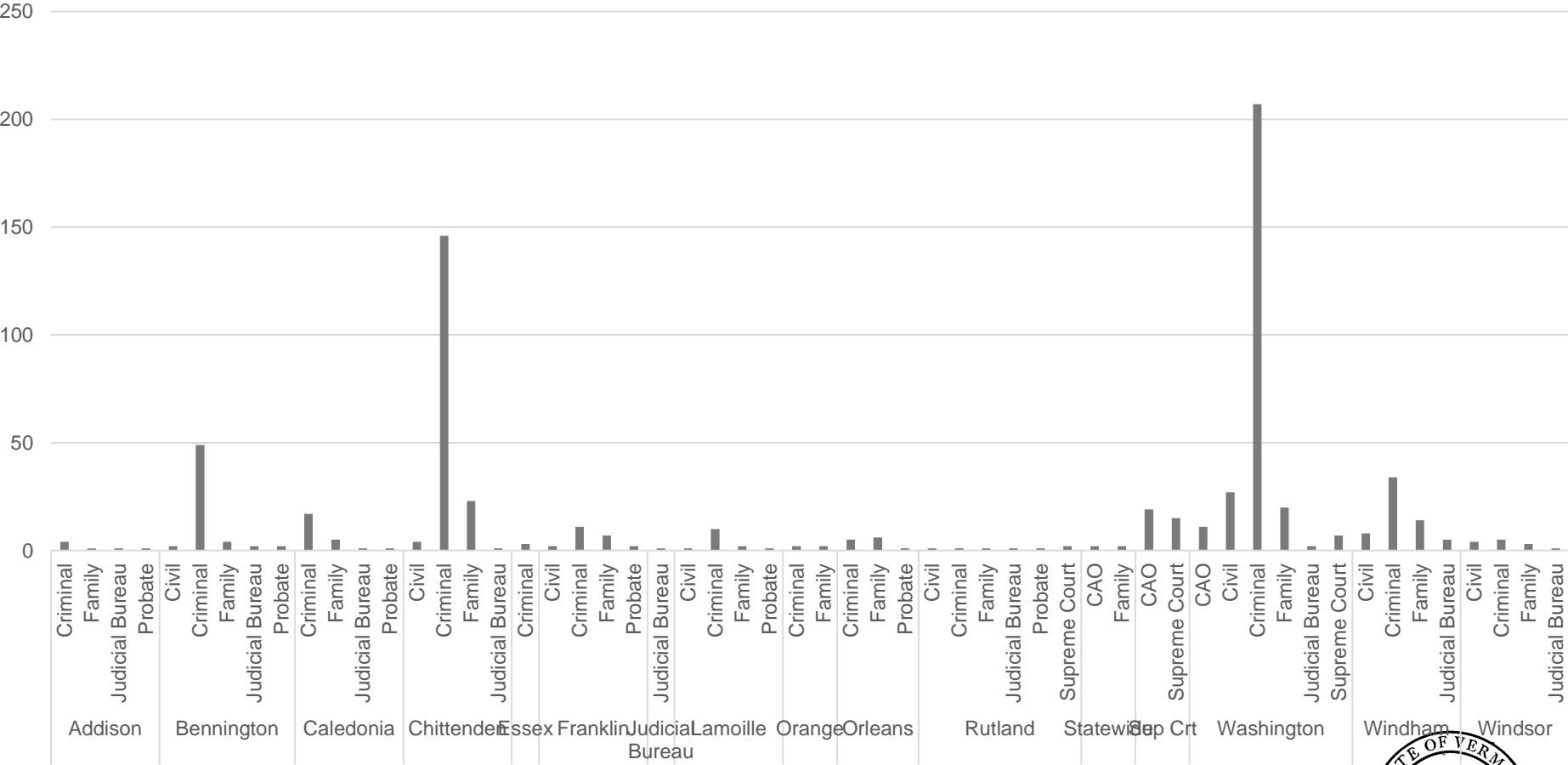
Five Security Positions

- **Network of courthouse security is understaffed**
- **Barre staff increased by 2 just to maintain operations**
- **Costello staff using temps**
- **Windham has no law enforcement presence**



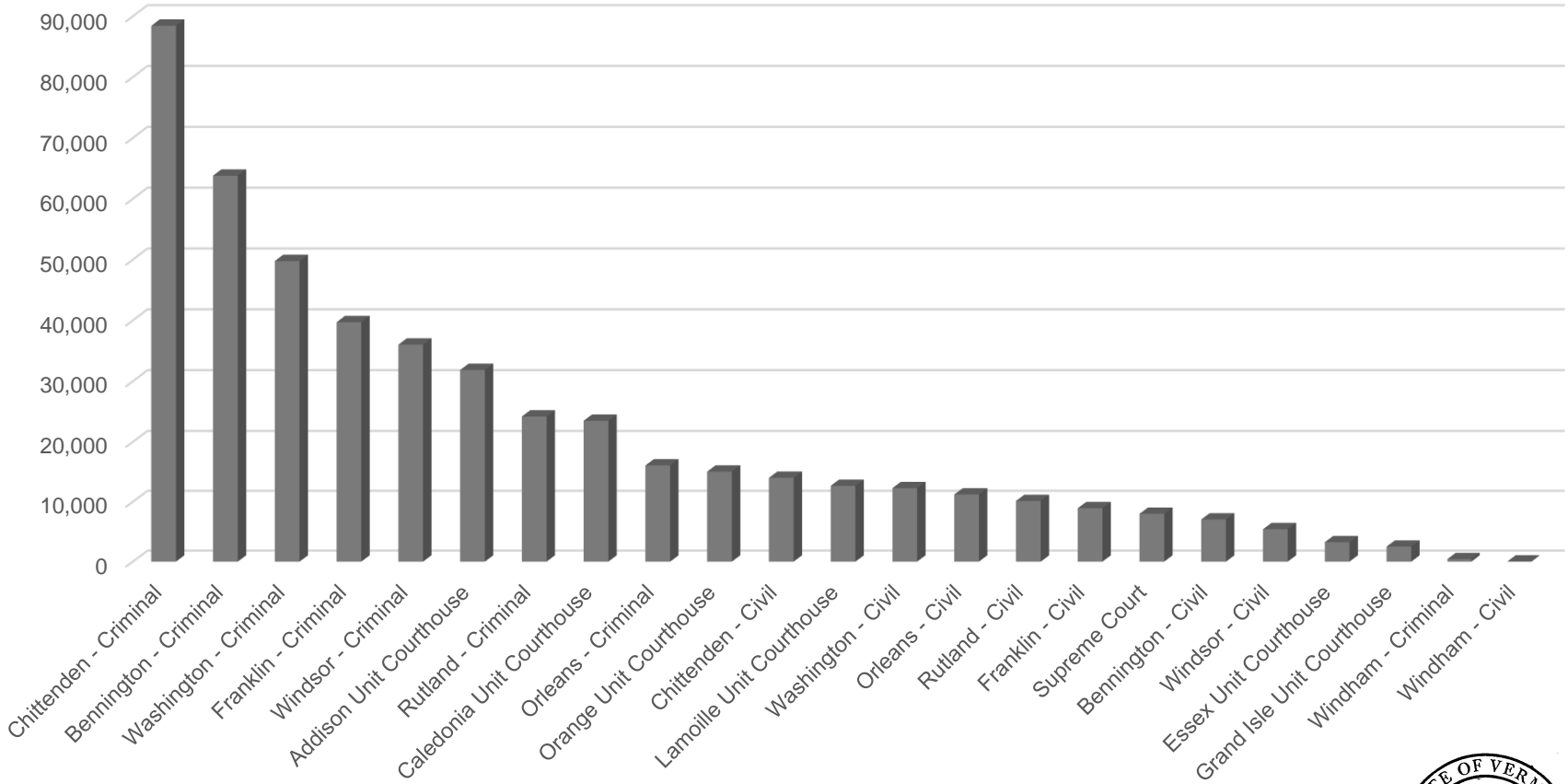
Security Positions

Incident Reports - By Courthouse
2019



Security Positions

Busiest Courthouse 2019
Visitors per year



Security Rates

Increase to security hourly rates needed:

- **Sheriffs are experiencing recruitment problems**
- **Reduced number of sheriff positions**
- **Reduced hours in Bennington to afford rate increase**
- **No contract in Orleans due to low rate of pay**

Judicial rates range from \$27 to \$33 per hour

BGS rates start at \$50 per hour

Roads contracts can be \$70 to \$90 per hour



Move from Tech Fund

Move salaries out of Tech Fund into GF

- **Tech Fund not designed for ongoing salary costs**
- **Plan was always to move them to GF**
- **Tech Fund negatively impacted by decrease in collections on traffic tickets.**
 - FY16 (\$125,159) compared to budgeted revenue
 - FY17 (\$125,159)
 - FY18 (\$204,890)
 - FY19 (\$3,320)



Key Judiciary Initiatives

- **NG-CMS**
- **CHINS Reform Activities**
 - Judicial Master and Regional Treatment Docket Pilot
 - System Evaluation
- **Judiciary Access and Resource Center**
- **Language Access Program Enhancements**

